

**DRAFT/UNAPPROVED  
VIRGINIA BOARD OF PHARMACY  
MINUTES OF SPECIAL CONFERENCE COMMITTEE**

Tuesday, March 31, 2009  
Second Floor  
Board Room 1

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Richmond, Virginia 23233

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**CALL TO ORDER:** A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 10:00 a.m.

**PRESIDING:** David C. Kozera, Committee Chairman

**MEMBERS PRESENT:** Brandon K. Yi

**STAFF PRESENT:** Cathy M. Reiniers-Day, Deputy Executive Director  
Mykl D. Egan, DHP Adjudication Specialist

**RICHARD B. RICE, JR.**  
License Number 0202-011551

Richard B. Rice, Jr., appeared with Murray J. Janus, his attorney, to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the January 17, 2009, Notice.

William Clay Garrett, Assistant Attorney General, was present for this hearing.

**Closed Meeting:** Upon a motion by Mr. Yi and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A.(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Richard B. Rice, Jr. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**Reconvene:** Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting.

**Decision:** Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to reprimand Mr. Rice and impose a monetary penalty of

One Thousand Dollars (\$1,000) and subject his license to certain terms and conditions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Rice, unless a written request to the Board for a formal hearing on the allegations made against her is received from Mr. Rice within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

MARVIN W. SANDERS  
License Number 0202-001364

Marvin W. Sanders appeared with Denise Sanders, his wife, to discuss his petition for reinstatement of his pharmacist license and to review allegations that he may have violated portions of the Board's laws and regulations as stated in the February 24, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code, for the purpose of deliberation to reach a decision in the matter of Marvin W. Sanders. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to approve Mr. Sanders' application for reinstatement of his pharmacist license with terms and conditions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Sanders, unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Sanders within such time. If service of the Order is made by mail, three (3) additional days shall

be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

With all business concluded, the meeting adjourned at 7:35 p.m.

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Cathy M. Reiniers-Day  
Deputy Executive Director

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David C. Kozera, Chairman

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Date